

**PROCEEDINGS OF THE BOARD OF HEALTH MEETING
TUESDAY, SEPTEMBER 13, 2016
5:00 PM**

Present: Jay Tibbetts, Joe Van Deurzen, Harold Pfothhauer, Richard Schadebald, Karen Sanchez, Susan Paulus-Smith, James Crawford

Staff Present: Debbie Armbruster, Patti Zich (minutes recorder)

1. Call to Order, Welcome, and Introductions

Jay Tibbetts called the meeting to order.

2. Approval / Modification of the Agenda

MOTION: To approve the agenda as presented.

Schadebald / Van Deurzen

MOTION CARRIED

3. Approval of Minutes of meeting of July 19, 2016

MOTION: To approve the minutes from July 19, 2016

Schadebald / Paulus-Smith

Jim Crawford states that the agenda item entitled "Comments from the Public" states you cannot speak on items that were on the agenda. There was an agenda item entitled "Review of Board's Decision Declaring Wind Turbines a Health Hazard." He states there were 10 comments from the public on wind turbines so it seemed to violate the rules of the Board of Health meetings and should those comments be stricken from the minutes. Jay Tibbetts states if he is saying that you couldn't comment on wind turbines because of that, he disagrees. Richard Schadebald states that maybe those comments would have been more appropriate by opening it up for interested parties under that agenda item.

Jim Crawford felt he was assaulted at the last meeting because some of the comments were personal against him. He felt they were inappropriate and that is why he is going to vote against approving these minutes.

Suggested spelling and grammatical corrections were requested.

MOTION: To approve the July 19, 2016 minutes as amended.

Schadebald / Paulus-Smith

Roll call vote: Ayes: Tibbetts, Schadebald, Pfothhauer, Sanchez, and Paulus-Smith

Nays: Van Deurzen and Crawford

MOTION CARRIED.

4. License Establishment Appeal of Late Fees.

MOTION: To suspend the rules to hear from interested parties of any appeals.

Schadebald/ Van Deurzen

MOTION CARRIED.

Jeff Hunter, Rum Runners, Broadway Street, Green Bay, WI. Jeff indicated he was aware of the rules in effect. Over the two years they have been in business, they have done a good job of making all their deadlines and paying all their fees. With a 125-year-old building they had updates and suggestions by the Health Department and others that they have complied with as best as they could. They wrote the check the first week of June. At that time they started losing equipment in the heat, and they tabled the check with the intention of dropping it by as soon as they could get caught up and it got lost in the shuffle of things. They are appealing stating this is the first transgression they have had and would like the Board to consider if someone comes into a problem and has a good record that perhaps they get a first mulligan before they are fined. These funds can be a significant thing during a time like this. They are appealing based on their good record, and possibly there should be a little grace period.

5. **Closed Session:** Deliberation, non-evidentiary discussion and possible action on the Appeal by certain establishment operators of the issuing of late fee penalties by order of the Brown County Health Officer under Chapter 37 of the Brown County Code of Ordinances. Pursuant to Wis. Stat., § 19.85(1)(a), any meeting of a governmental body may be convened in closed session for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. And, pursuant to Wis. Stat., § 19.85(1)(b), any meeting of a governmental body may be convened in closed session for purposes of considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter.

MOTION: To go into closed session.

Crawford / Pfothhauer

Roll call vote: Ayes: Tibbetts, Schadehald, Pfothhauer, Sanchez, Paulus-Smith, Van Deurzen and Crawford
Nays: None

MOTION CARRIED.

6. **Reconvene in Open Session:** Discussion and possible action on the Appeal by certain establishment operators of the issuing of late fee penalties by order of the Brown County Health Officer under Chapter 37 of the Brown County Code of Ordinances.

MOTION: To return to open session

Van Deurzen / Schadehald

Roll call vote: Ayes: Tibbetts, Schadehald, Pfothhauer, Sanchez, Paulus-Smith, Van Deurzen and Crawford
Nays: None

MOTION CARRIED.

MOTION: To uphold the late fee assessments for establishments making appeal.

Crawford / Van Deurzen

Roll call vote: Ayes: Tibbetts, Pfothhauer, Sanchez, Paulus-Smith, Van Deurzen and Crawford
Nays: Schadehald

MOTION CARRIED.

7. **Comments from the public**

Jim Vanden Boogart – 7463 Holly-Mor Road, Greenleaf. He would like to bring to the Board's attention that presently the World Health Organization is reviewing their noise guidelines. The last time they did that was in 1999. Jim states that in the ensuing 17 years, there has been a proliferation of wind turbines globally and as a result of that and because every country that this proliferation has shown up, there have been issues with people complaining about health effect. A significant number of professionals and citizen advocates have put together and signed an open letter to the World Health Organization calling on them to address 200 hertz and lower noise from wind turbines which is ILFN. He read into the record.

Open Letter to the members of the panel developing the WHO Environmental Noise Guidelines for the European Region.

Ladies and Gentlemen,

We understand that you are currently in the process of developing the WHO Environmental Noise Guidelines for the European Region as a regional update to the WHO Community Noise Guidelines. We also understand that:

1. The new Guidelines will be based upon a review of evidence on the health effects of environmental noise in the light of significant research carried out in the last few years.

2. The Guidelines will review evidence on the health benefits of noise mitigation and interventions to decrease noise levels.

3. The evidence will be systematically reviewed to assess likely effects such as: sleep disturbance, annoyance, cognitive impairment, mental health and wellbeing, cardiovascular diseases, hearing impairment and tinnitus and adverse birth outcomes.

One of the sources of noise you are investigating is that from wind turbines which was not addressed in previous guidelines. We welcome your review because, despite mounting anecdotal and academic evidence, for too long mitigation against adverse health effects following the construction of wind turbines

has been absent from planning guidelines and noise pollution regulations in many European countries, especially with respect to sound below 200 Hz. There is a pressing need for new guidelines to encourage governments better to safeguard the health of their citizens. You will be aware that these problems are not confined to Europe. Neither are they confined to human beings. We are hopeful that your deliberations will result in tough new European guidelines which in turn will prompt a serious worldwide examination of all aspects of this problem, including the widely-reported effects on animals.

Yours sincerely,

The undersigned:

Signatories to the letter to the World Health Organization Expert Panel revising the Environmental Noise Guidelines include the following health professionals and scientists: **Medical Practitioners:** Dr. Mauri Johansson & Per Fisker (**Denmark**), Dr. Sarah Laurie (**Australia**) Dr. Hakan Enbom (**Sweden**), Professor Alun Evans (**Ireland**), Dr. Angela Armstrong and Dr. Rachel Conner (**Scotland**), Professor Dr. Zuhal Okuyan and Professor Dr. Ali Osman Karababa (**Turkey**), Dr. Robert McMurtry (**Canada**), and Dr. David Lawrence and Dr. Herb Cousins (**USA**), **Osteopath** Dr. Johannes Meyer (**Germany and USA**), **Psychologist** Professor Arline Bronzaft (**USA**), **Nursing Practitioner** Norma Schmidt (**Canada**), **Physiotherapist** Virpi Polkolainen (**Finland**), **Audiologist** Professor Jerry Punch (**USA**), **Medical Physicist** Dr. Mireille Oud (**The Netherlands**), Professor of Otolaryngology and **Neurophysiologist** Alec Salt (**USA**), **Physicist** Dr. John Harrison (**Canada**) and **Scientist** Dr. Bruce Rapley, (**New Zealand**). **Engineers** who signed the Open Letter include **Biomedical Engineer** Dr. Mariana Alves Pereira (**Portugal**), **Acoustical Engineers** Sven Johannsen and Erik Brunner (**Germany**), Steven Cooper (**Australia**), Emeritus Professor Colin Hansen (**Australia**), Rick James, Rob Rand, Steven Ambrose and Bill Acker (**USA**) Nicholas Kouwen, PhD., P.Eng., FASCE. Distinguished Professor Emeritus and Adjunct Professor Department of Civil and Environmental Engineering, University of Waterloo (**Canada**) and other engineers including Ove Bjorklund (**Sweden**) and Peter Mitchell (**Australia**) and many others.

Jim further states it shows that the problem is not limited to Shirley Wind, Fond du Lac, Wisconsin or to the United States; it is wherever wind turbines are sited in an irresponsible fashion. They are advocating for responsible wind energy and advocating on behalf of victims of irresponsible wind energy siting. Jim submitted a copy of the open letter which he read into the record.

Eric Hoyer, 818 Eliza Street, Green Bay, WI. Eric states he will be going to the Wisconsin Counties Association Conference, and at the business meeting Fond du Lac County submitted a proposal for all Wisconsin counties to vote on asking the State of Wisconsin to put \$200,000 - \$250,000 back into their budget for wind research. He will bring the results back to the Human Services Committee.

Barbara Vanden Boogart, 7463 Holly Mor Road, Greenleaf. Barb would like the following quoted in the minutes:

Dear Members of the Brown County Board of Health,

In late July 2016, all of the Shirley Wind turbines were shut down for several consecutive days and nights - Monday, Tuesday, Wednesday, and part of Thursday, July 25-28. Not only were the wind turbines not operating during this timeframe, it also appears that all electric power to the wind turbines was also shut down for some or all of this timeframe, as evidenced by the fact that the red warning lights on top of the wind turbines were not illuminated during one or more of these nights. Also it was observed that work was being performed on the Shirley Wind substation during this timeframe.

After the wind turbines resumed operation during the day of Thursday, July 28, 2016, a number of Shirley Wind residents described what they experienced during this shutdown period when they were not exposed to any wind turbine emissions as compared to what they experience when the Shirley Wind turbines are operating and they are exposed to the wind turbine emissions. They then had their statements notarized.

These case crossover testimonies of several Shirley Wind turbine residents are attached and are being submitted with permission of the authors.

BCCRWE requests that members of the Brown County Board of Health, Human Services Committee, and Board of Supervisors consider the gravity of this evidence and testimony that appears supportive of not

only a relationship between wind turbine emissions and adverse health effects to Shirley Wind residents but also confirms that the Brown County Board of Health's "human health hazard" declaration is appropriate and that remedial action is needed to protect these adversely affected Brown County residents. Prior Shirley Wind resident testimony and acoustical experts' ILFN test measurements at Shirley Wind, together with the vast body of professional documents that have been submitted, further support the relationship between Shirley Wind turbines and the adverse health effects reported by Shirley Wind residents.

Barbara Vanden Boogart

Vice President: Brown County Citizens for Responsible Wind Energy (BCCRWE)

Barb submitted 14 documents concerning residents that noticed a significant change of what they experienced during the time that they weren't being exposed to the emissions. Barb stated they have evidence that the turbines were turned off and also that the FAA was notified that the lights were off in that turbine project during that period of time which was during the week of EAA. She states this was what any study of a pre-existing operating turbine project needs in order to see the difference for the residents, a period of shutdown. She mentioned that a case crossover study is significant in the research and scientific field and that is what happened in this instance and so she asks that they take this very seriously as this shows not only a relationship but possible causality.

Ben Schauer, 6225 Highview Road, Denmark, WI. Ben states his family's testimony is in the packet handed in by Barb Vanden Boogart. He wanted to attest and reaffirm that he personally witnessed the FAA lights were off. He further states for the first time in over 6 months his wife was sleeping in their bed with zero effects. Also all three of his kids had no effects. They were back to perfect health. They were going to bed and waking up 1 ½ hours earlier and felt refreshed throughout the day. There were no anxiety attacks and no headaches for all three of them.

Barb Vanden Boogart stated she forgot to mention that all of the testimonies were notarized.

- 8. Environmental Division Update** – Debbie Armbruster stated Rob Gollman was on vacation. The Environmental Division is no longer fully staffed. A sanitarian resigned on August 16th. The job opening is posted and to date no experienced applicants have applied. The Environmental Division is continuing inspections of temporary events and the farmer's market. They have already started inspections of the 120+ food and beverage facilities inside Lambeau Field. Over 70 inspections have been completed there to date. A copy of the proposed fee changes for 2017 budget was included in the packet. Richard Schadewald asked if NWTC had a program for sanitarians. Susan Paulus-Smith indicated there was one at UW-Stevens Point. Richard Schadewald asked if we recruit at Stevens Point, and Debbie Armbruster indicated we do as well as throughout the State through other Health Departments. Jim Crawford indicated possibly the wage should be raised to be competitive because of the tight job market. Richard Schadewald stated they are looking at those issues on other committees. Susan Paulus-Smith stated there may not be a lot of students going into this discipline. It is a silent degree where a lot of people don't know much about it.

Debbie further stated that the division was instructed on August 24th by the Human Services Committee to log complaints and concerns from individuals who report regarding the Shirley Wind Project. Concerns reported during regular business hours will be routed to the on-duty intake sanitarian for reporting. Individuals will be able to report their concerns after hours as well. The calls will be routed to an after-hours mailbox where a message can be left. The next on duty sanitarian will then file and log the concern. A modified version of the current complaint report form will be used to log the concerns including time, temperature, wind speed and direction. Patti Zich indicated the line has been set up. If you call the main number it is part of the menu prompt.

Jay Tibbetts asked if the new form that Rob submitted is etched in stone and can they discuss the form. Debbie indicated this is what Rob intends to use and if the Board of Health had some suggestions, she would pass to Rob. Jay Tibbetts had a suggestion as far and audible and inaudible noise. He thinks that the Shirley Wind Project shouldn't be on the form any more than Sanimax should be on there. His suggestion would be a box that says "noise (audible)" which we already have and then another box that says "noise (inaudible) – ILFN." He stated the reason for the latter is because the Ehrfurths and other people. Bill Acker had a call about a year and half or two years ago from a person in Suamico that probably was having ILFN effects possibly from the cheese factory. He doesn't think we should be picking on Shirley Wind any more than we

should be picking on Sanimax. It should be noise or odor. Richard Schadewald questioned how a person would report inaudible. Joe Van Deurzen asked how you would verify that. Jay Tibbetts said it is not impossible. Richard Schadewald indicated it was not impossible to verify it but it is impossible as to how would the person report. Jim Crawford asked how would they know it was ILFN unless they got a technician in to measure it. If it is just a complaint from a person it should say noise and a location such as near a factory, a turbine, a freeway or near something that makes ILFN. Jay Tibbetts thinks it should be broader. Richard Schadewald says this form looks correct in that it has "other" on it. Jay Tibbetts says it is right around the corner as far as the solution. At some point in time, and he doesn't know when, but he would like to think it is within a year, we are going to have instrumentation to measure this. We are going to have the microbarometer and the recorder. Richard Schadewald said this is a report form that people call in. The understanding is we are logging their complaints and that is why the Shirley Wind Project is fine on there because that makes it easy when doing your data. It isn't a verification of that. His problem with inaudible noise is that he doesn't get how a person would report and how would you get validity of inaudible noise other than if they have some machine they have there. Jay Tibbetts thinks we are going to run into the same thing with the phone complaints.

- 9. Nursing Division Update.** Zika is not currently being spread by mosquitoes in Wisconsin. Mosquito surveillance continues in Wisconsin for possible emerging Aedes species. Florida Department of Health has identified two areas in Miami with active transmission of Zika virus. As of September 7, 2016 the state of Wisconsin has tested 700 people with travel-associated Zika cases. Brown County tested 46 and we have one confirmed case in Brown County. As far as tuberculosis related, there is a 21-year-old foreign born male who continues on treatment. Clinical Case of TB without lab confirmation. They have been consulting with CDC Regional TB Center-Mayo Clinic for treatment recommendations and plan of care. TB disease medication under direct observed therapy three times a week for 18-24 months. We also have a 62-year-old foreign born male who is TB suspect with abnormal CXR, positive TB test, with a cough, weight loss and was TB test negative in 2007. They are in the process of inducing sputums. We did have a positive West Nile virus from a dead crow in Brown County so we will not be testing anymore.

Jay Tibbetts asked about the Zika case in Brown County. Debbie indicated it was travel related but is a resident of Brown County.

Jim Crawford stated that Brown County has undertaken a few improvements in mental health services such as the day center, the detox services and the new mobile counselors. He asked if the Health Department could publish this so people know these services are available. Debbie Armbruster indicated that other than being on the task force for the CHIP process, the Health Department is not involved in the mental health piece. That is primarily through Human Services that these areas are being developed and functioning. Human Services would be the department which will document the statistics as how many people these are touching. Richard Schadewald also indicated there are a Human Services Board and the Human Services Committee which would handle the mental health issues. Eric Hoyer also stated the Ad Hoc Task Force.

- 10. Immunization Update** - Debbie stated we undertook the Adult Immunization Grant and what we have developed is now a stakeholders meeting that is occurring September 23, 2016 at the Neville Public Museum to encourage influenza vaccine administration and to encourage everyone to get their community involved in receiving the influenza vaccines. During our "This is Public Health" event on Saturday, October 15, 2016, we will give free flu vaccine to children through age 18 and adult influenza vaccine for \$20.

Karen Sanchez asked how the immunization clinic went. Debbie indicated the clinic was held at St. Willebrord's and we touched 69 families and gave out 197 immunizations. On October 5, 2016 we are going to be doing a mass clinic at the Health Department and will not include influenza. The schools have given out letters to not up-to-date families. We have sent that out to the schools, providers and CD Surveillance Group. Richard Schadewald asked if there were any parts of Brown County that are not partaking in this as far as schools. Debbie indicated all schools have been invited. We are in the process of organizing going into two at-risk schools.

We have staff contacting the assisted living nursing homes. During the stakeholders meeting, we will teach them how to document the immunizations which they give out into the Wisconsin Immunization Registry. We will also go out and teach their staff how to enter into the system if needed.

Richard Schadewald asked if the Health Department takes care of the Community Treatment Center (CTC). Debbie indicated their staff takes care of that. We have never gone out to the CTC to give immunizations.

- 11. Interim Director's Report.** Debbie gave out a document showing the changes in the budget from 2016 to 2017. Richard Schadewald asked about the fund transfer. Debbie indicated these are fiscal agent fees for various grants. We increased the fiscal agent fee for the HERC grants because they increased the amount given for the HERC grant. Richard Schadewald asked about the Health Department fund balance and if the grant allows for carryover. Patti explained they have to spend the grant award within that grant year and occasionally the State allows carryovers. Debbie explained the only revenue we get is the fiscal agent fees to process the HERC budget. None of the HERC grants money comes to Brown County. Richard Schadewald stated Chad Weininger indicated the Health Department had a fund balance. Debbie stated this is grant carryover money and cannot be spent on anything other than what the grant specifies. Richard Schadewald asked what the fund balance was. Patti indicated it was around \$300,000. Patti stated unless we overspend that year's grant money, we don't touch that fund balance and we do a good job not overspending. Patti indicated we will probably spend some of that money on our "This Is Public Health" event. Richard Schadewald would like to explore the grants and legitimate costs that can be used for the benefit of the Health Department. He asked what we would spend the \$300,000 on. Patti indicated that if there was an emergency in Brown County the local preparedness money would be spent. He asked what would be needed if we had an emergency. Debbie indicated it would depend on what the emergency was. This fund balance is specifically for emergency preparedness. Patti indicated that when she does purchase items and if there is grant money available, we use the grant money before the levy dollars.

Susan Paulus-Smith asked about the status of moving our department. Debbie indicated she believed the County Executive has it on the table yet and she believed it could be reflected in his budget. Richard Schadewald indicated the last figure they got for a new lab was \$600,000. He is on a sub-committee for Facilities and because of that figure it makes no sense to move the Health Department. Debbie indicated the lab meets our needs at this time. Richard Schadewald indicated they are looking at building for the medical examiner which would have a lab and a morgue and for cost efficiencies they are looking at that.

Debbie indicates the Adult Immunization Grant is offsetting some of the nurses' wages and we are going to use those savings to replace our scheduling software which is very archaic. Patti indicated we are working with Technology Services and the possibility of using Avatar which is something Brown County already has.

Jay Tibbetts asked if there was an update on a new director. Debbie indicated there was not.

- 12. Correspondences – none.**

13. All Other Business Authorized by Law

Jim Crawford wanted to review some of the wind turbine comments presented last meeting. He indicated it was important that comments be factual and not misleading. He thinks we have to remember we are trying to get a state or federal study of wind turbines and it makes no sense to put his name or any other Board members or any director's name as critical for reading a physician's report saying wind turbine syndrome is nonsense which he read. He hopes the group and the few residents affected don't think they are going to shut the turbines down. They have to live with them. What we need is a state study to set a direction. We can't just submit information we think is so convincing that everyone else should agree. Some examples include Bill Acker submitted documents on July 19th to the Board of Health. He objects to some of the things Bill said. The NASA study is always being brought up and this study is 35 years old. The people who experienced these initial symptoms, we are not going to doubt, but would a longer exposure to the turbine have cleared them up. We don't know and it didn't go on very long. Other issues include that Jim Crawford believes in the psychotherapy theory. Jim is quoting from doctors and very learned people who have trouble with the infrasound theory as a cause of symptoms. When learned people are troubled by this, he, as an engineer goes with them. That is why he went with EPA standards when he was with DNR. You do what the thinkers have thought about and concluded. Jim disagrees with Bill Acker's statement that Kevin Aschenbrenner, a farmer in the Town of Glenmore, is suffering animal loss because of the wind turbines. Jim states Kevin Aschenbrenner was found to have stray voltage in his barn last summer when both Duke Energy and the Town of Glenmore hired electricians and looked for stray voltage. Kevin Aschenbrenner's and Ben Schauer's residences were the two places they found it. It is well known that stray voltage in a barn is detrimental to animals. You can't say that it is caused by wind turbines. What we are trying to do is come together and get a state study. He thinks

we need to stop picking at the Board of Health and the Director and start saying what can all of us do to get a study of wind turbine effects. Getting it in the state budget again requires influence to the governor, Andre Jacque, the assemblyman, Dave Hansen, State Senator and Frank Lasee, State Senator. They later dropped it from the budget.

He states Jim Vanden Boogart's total of 56 health professionals in the world out of hundreds of thousands of health professionals is a drop in the bucket. There were only 9 in the United States including the Board of Health Chairman. He stated it is okay to submit the 14 statements from residents but let the researchers sift through the reports. Jim Crawford states he criticizes the work and not the people. He admires their activism and he thinks the BCCRWE group has stalled 100 turbines which he states is an accomplishment. They have 8 and he thinks we can live with them until the medical study is done. He wants to work together and lobby state officials to get money in budgets.

Richard Schadewald stated on the County Board they are going to support WCA in asking the governor for the money. Perhaps at some point this board may want to pass a resolution and send to all those state and federal officials. Joe Van Deurzen indicated we did that once before and Richard Schadewald indicated we can do that again. Jim Crawford stated he can support that. Richard Schadewald indicated this could be a future agenda item.

Richard Schadewald thinks what we are learning is we may not agree but we can disagree amicably. It is a hard thing when it is your kid, wife or friends. We should listen to our citizens and bring in the medical part and science and other things. There is no perfect solution but he doesn't think we would want to get into they said this, they said that. He thinks that drains the energy from doing what we can do.

Jay Tibbetts stated there have been a total of 7 people who live outside of the Shirley Wind Project to date that have visited Dave Enz's home, all of which have become symptomatic. They are from all walks of life. He encourages more people to go.

14. Adjournment / Next Meeting Schedule

MOTION: To adjourn meeting

Schadewald / Van Deurzen

MOTION CARRIED

NEXT MEETING: November 15, 2016 5:00 PM